



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/16330(TP461/2023)

Our File Reference Number:

Your Reference Number: Farm 136, Stellenbosch

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL

Sir / Madam

APPLICATION FOR CONSENT USE AND DEPARTURE ON FARM 136, STELLENBOSCH DIVISION

1. The above application refers.
2. The Municipal Planning Tribunal on the 29 November 2024 resolved as follows:
 - 2.1. That it **BE DECIDED** that the application for Consent Use on Farm No. 136, Stellenbosch Division for the construction of an additional dwelling unit deviates from the provisions of the Stellenbosch Municipality SDF as contemplated in terms of Section 19 of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), for the following reasons:
 - a. The proposed development exceeds the size limit of 175m² prescribed by the MSDF for additional dwelling units on agricultural properties and thus is in conflict with the spatial planning objectives of the MSDF.
 - 2.2. That it **BE DECIDED** that the application for Consent Use on Farm No. 136, Stellenbosch Division for the construction of an additional dwelling unit warrants site specific circumstances as contemplated in terms of Section 22(2) of Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) for the following reasons:
 - i. The total coverage of residential buildings on this property including the proposed unit, amounts to 710m² which is well below the allowable limit of residential buildings that can be constructed as of right (1200m²) on this property.
 - ii. The proposed additional dwelling unit does not have an impact on the agricultural activities on this farm and will be subservient to the primary land use of this property.

2.3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipality By-law on Municipal Land Use Planning, 2023 on Farm No. 136, Stellenbosch Division for:

- a. Consent use in terms of Section 15(2)(o) of the said by-law for the construction of an additional dwelling unit.
- b. A departure in terms of Section 15(2)(b) of the said by-law to exceed the permissible coverage of an additional dwelling unit.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

2.4. The approval is subject to the following **conditions** imposed in terms of Section 66 of the said Bylaw:

- i. The approval only applies to the proposed consent use & departure under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- ii. The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- iii. The coverage of the additional dwelling unit be restricted to 210m².
- iv. Building plans must be generally in accordance with the site plan referenced no. S.A.02 dated 3 August 2023; floor layout plan as referenced no. S.B.01 Revision B and dated August 2022; Elevations referenced as S.C.01 Revision B and dated August 2022 and drawn by Andre de Villiers Architects. Annexure B.
- v. Conditions from the Directorate Infrastructure as imposed in their memo dated 28 August 2024, be adhered to (See **Annexure F**).
- vi. Development contributions are payable in accordance with the prevailing and applicable Council Tariffs at the time of payment prior to submission of any building plans.

2.5. The **reasons** for the above decision are as follows:

- 2.5.1. The primary land use of the property will remain agricultural.
- 2.5.2. The concept of additional dwelling unit is in line with the MSDf guidelines, and the increased coverage will have insignificant impact on the existing agricultural activities on this farm.

2.6. **Matters** to be noted:

- 2.6.1. The applicant advised to arrange for servitude access over the properties between Remainder Farm No. 136, Stellenbosch Divisional Main Road 172

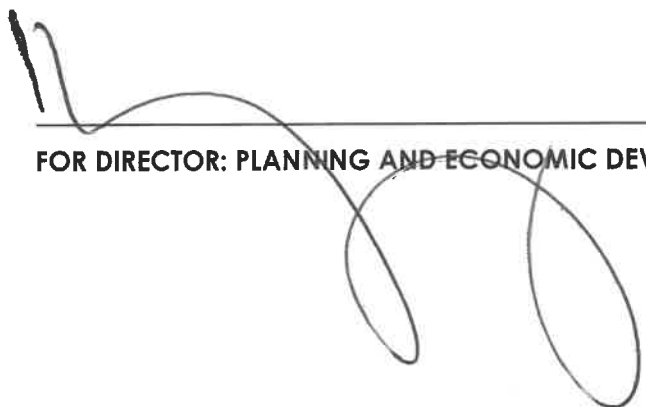
(Helshoogte Road) to be registered in favour of Remainder Farm 136, to ensure permanent, legal and unfettered access.

2.6.2. All electrical requirements should be directed to Eskom

3. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.
4. Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
5. **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@ Stellenbosch.gov.za**
6. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
7. The appeal form and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za or 021- 808 8684.
8. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
 - (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
9. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

10. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

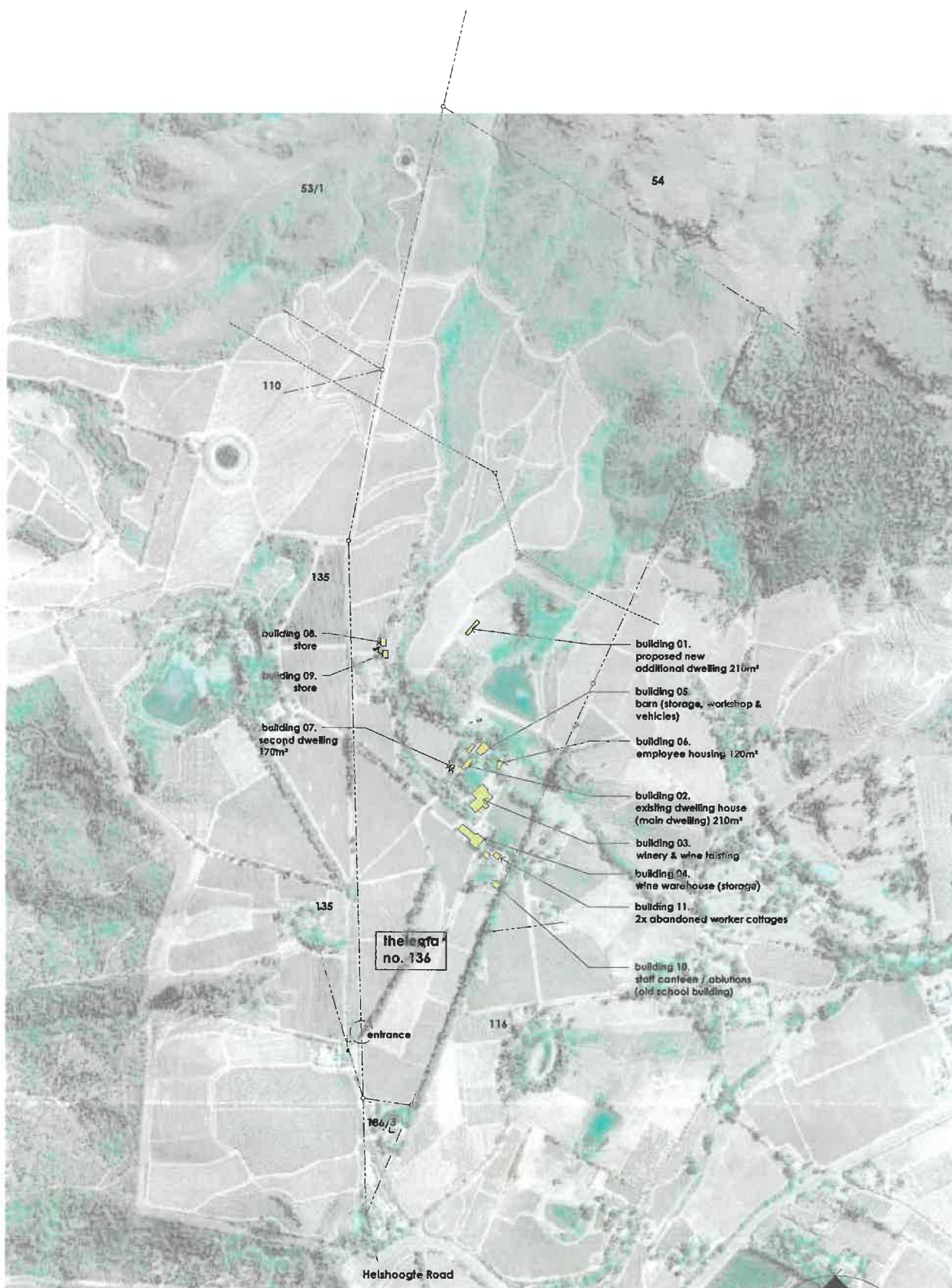
Yours faithfully



A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a solid horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

2/12/2024
DATE



FARM : SITE DEVELOPMENT PLAN

scale 1 : 10,000

drawing: S.A.02 date: 3 August 2023 farm area: 135,24ha



drawing notes:

The drawings are prepared by the Architect and are to be used in accordance with the Building Regulations and the Building Control Authority's requirements. The drawings are to be used in accordance with the Building Regulations and the Building Control Authority's requirements. The drawings are to be used in accordance with the Building Regulations and the Building Control Authority's requirements.

CONSTRUCTION NOTES:

REVISIONS:

Rev 1: 01/01/2023: Initial submission
Rev 2: 01/01/2023: Revised drawing

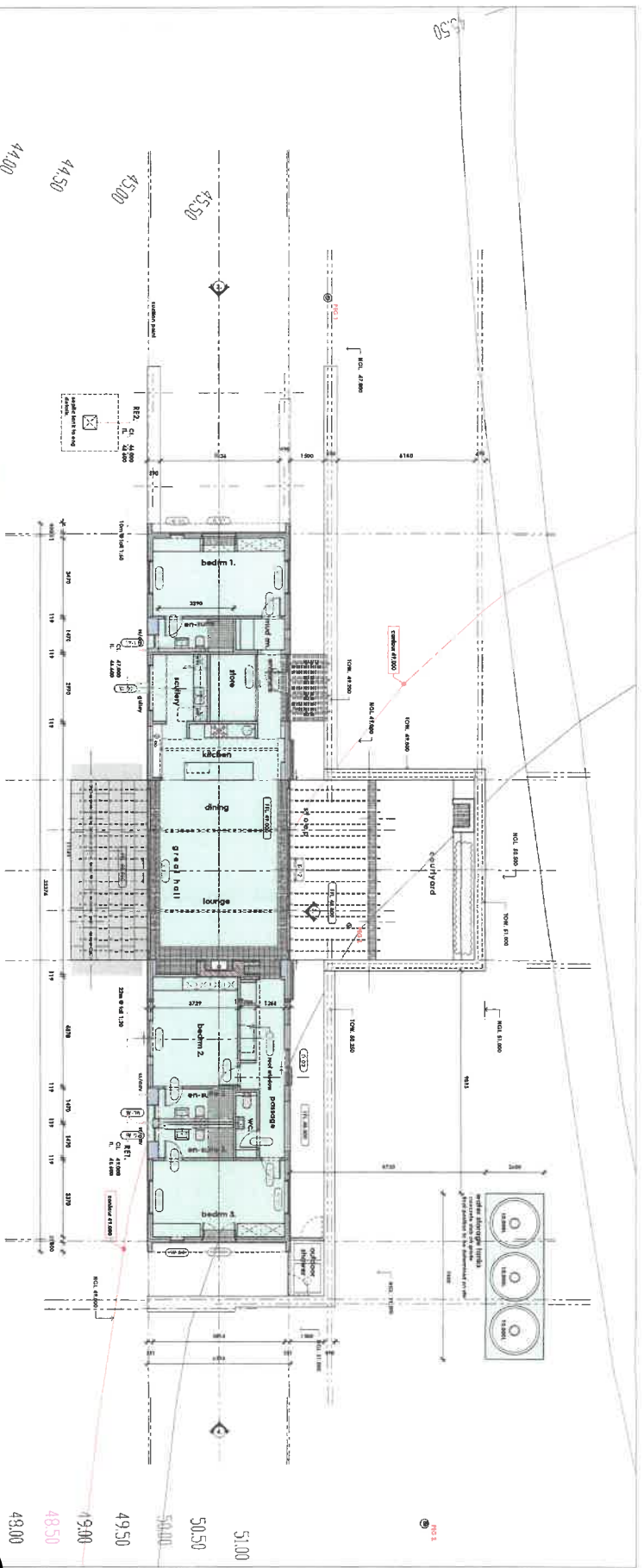
proposed architect: PRACTICE

01/01/2023: Initial submission

ground storey plan

1 : 100

01/01/2023



FLOOR PLAN

General:

The drawings are prepared by the Architect and are to be used in accordance with the Building Regulations and the Building Control Authority's requirements. The drawings are to be used in accordance with the Building Regulations and the Building Control Authority's requirements. The drawings are to be used in accordance with the Building Regulations and the Building Control Authority's requirements.

Notes & Dimensions:

The drawings are prepared by the Architect and are to be used in accordance with the Building Regulations and the Building Control Authority's requirements. The drawings are to be used in accordance with the Building Regulations and the Building Control Authority's requirements. The drawings are to be used in accordance with the Building Regulations and the Building Control Authority's requirements.

Notes & Dimensions:

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Notes & Dimensions:

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DRAWING NOTES:

The design of this building is subject to the approval of the local planning authority. The design is based on the information provided by the client and is subject to change without notice. The design is based on the information provided by the client and is subject to change without notice. The design is based on the information provided by the client and is subject to change without notice.

CONSTRUCTION NOTES:

REVISIONS:

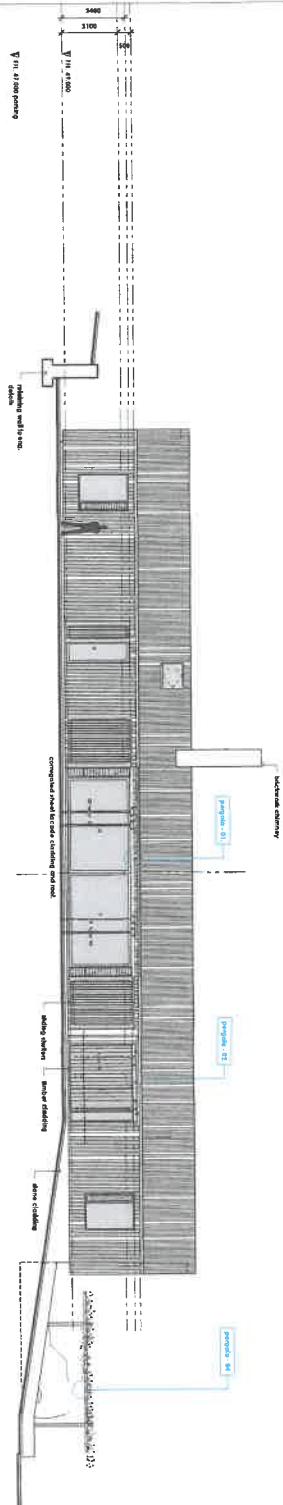
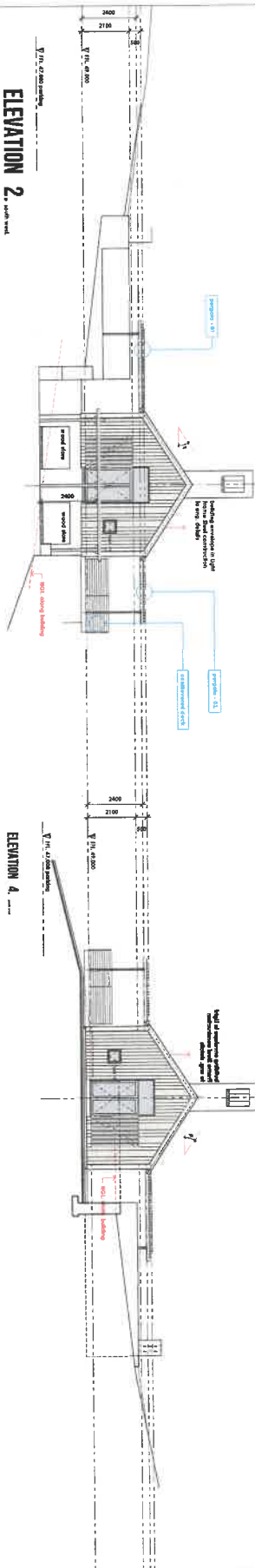
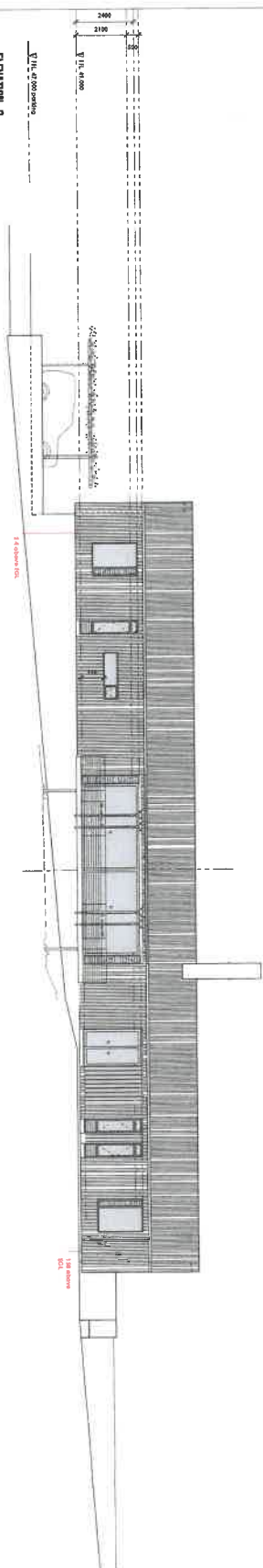
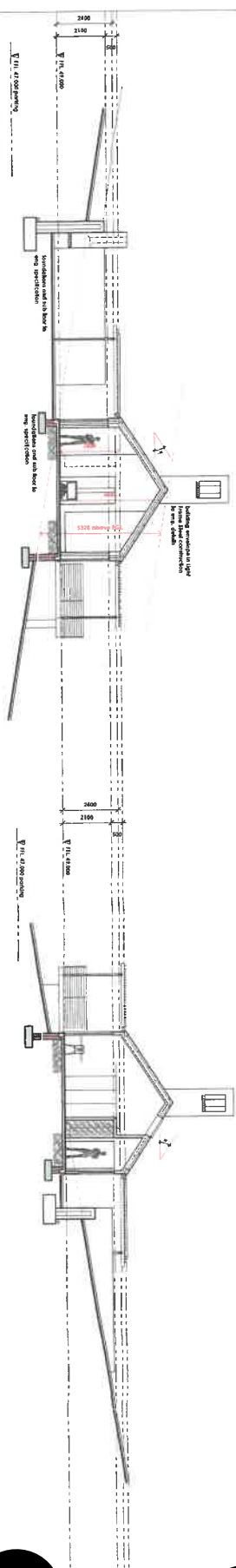
Rev. 1: 2023/01/10
Rev. 2: 2023/01/10
Rev. 3: 2023/01/10

311 Slaggy road
Clontarf
Dublin
D08
Tel: 01 852 4871
Fax: 01 852 4872

ground storey plan

1 : 100

04/2023



SECTION 5: north wall

SECTION 6: south wall



STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan:	Director: Planning + Economic Development
Att Aandag:	Nolusindiso Momoti
From ▫ Van:	Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer:	Kurt Titus
Date ▫ Datum:	28 August 2024
Our Ref ▫ Ons Verw:	Civil LU 2649
Town Planning Ref:	LU/16330 – TP461/2023
Re ▫ Insake:	RE – Farm 136, Stellenbosch: 1. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning 2023 for a Consent Use for the construction of an additional dwelling unit. 2. Application is made in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning 2023 for a departure in order to exceed the permissible floor area of the proposed additional dwelling unit from 120m² to 210m².

The application is **recommended for approval** subject to the following conditions:

- 1. Water and Sewer**
- 1.1 The source of drinking water must be indicated on a site layout plan, when submitting building plans for approval.
- 1.2 The location of the conservancy tank serving the development must be indicated on a site layout plan when submitting building plans for approval.

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2. Development Charges (DCs)

- 2.1 The following DC's are payable: See **Development Charge Calculation** attached. Please note that this calculation is indicative at this stage and will be amended based on the detail information provided at building plans stage / A final calculation will be provided prior to payment.
- 2.2 The DC's were calculated by using the 2024/2025 tariff structure. If DC's are paid after 30 June 2025 it will have to be recalculated by using the tariff structure and DC Policy principles applicable at date of payment.
- 2.3 The appropriate DC's are payable before building plan approval (where subdivision clearance is not applicable).



Kurt Titus

Principal Technician: Development (Infrastructure Services)

Z:\2.0 DEVELOPMENT\01 Land Use applications\2649 (Ku) RE-Farm 136 Stellenbosch (LU-16330 TP461-2023)\Final Memo\2649 () RE-Farm 136 Stellenbosch (LU-16330 TP461-2023).doc





Stellenbosch Municipality

Development Charge Calculation



APPLICATION INFORMATION	
Application Number:	CIV LU 2649
Development Name:	
Date:	28 August 2024
Financial Year:	2024/2025
Erf Location (Select from 7 Locations):	Stellenbosch Town
Erf Region (Select Urban or Rural):	Rural
Erf No. / Farm No.:	136
DC Parameters Reference:	DC Calc_ Email from Carlien_ Date: 12 August 2024_ Arch Planners

SUMMARY OF DC CALCULATION								
Service:	Water	Sewer	Stormwater	Solid Waste	Roads & Transport	Sub Total (Civil Eng Services)	Community	Totals
Unit(s):	M/day	M/day	ha°C	thweek	trips/day		persons	
Total Increased Services Usage:	0.6	0.5	0.018	0.04	4		4	
Total Service Usage Reduction:	0	0	0	0	2.0		0	
Total Service Usage after Reduction:	0.60	0.50	0.01800	0.040	2.0		4	
Charges before adjusting for positive only, before Deductions	R -	R -	R -	R 4 112.00	R 25 372.14	R 29 484.14	R 16 217.25	R 45 701.39
Charges adjusted for positive only, before Deductions	R -	R -	R -	R 4 112.00	R 25 372.14	R 29 484.14	R 16 217.25	R 45 701.39
Total Deductions:	R -	R -	R -	R -	R 12 686.07	R 12 686.07	R -	R 12 686.07
Total Development Charges Payable (excluding VAT):	R -	R -	R -	R 4 112.00	R 12 686.07	R 16 798.07	R 16 217.25	R 33 015.32
VAT:	R -	R -	R -	R 616.80	R 1 902.91	R 2 519.71	R 2 432.69	R 4 952.30
Total Development Charges Payable (including VAT):	R -	R -	R -	R 4 728.80	R 14 588.98	R 19 317.78	R 18 549.94	R 37 967.62

APPLICANT INFORMATION	
Application Processed by:	Kurt Titus
Signature:	<i>K Titus</i>
Notes:	Email from Carlien _ Arch Planners confirming the development will be supported by a conservancy tank for sewer management.

ET

Stellenbosch Town

Land Use Category	Land Type	Existing Usage				Proposed New Usage				Development Charges (incl VAT)									
		Description	Area (m²)	Units/Ampl	Rm/LB	Bldg (m²)	Land Release	Result	Amount	Water		Sewer		Storm water		Solid waste		Roads & Transport	
										No	Yes	No	Yes	No	Yes	No	Yes	No	Yes
Residential	Single Residential	>1000m²	du						0	R	-	R	-	R	-	R	-	R	-
	Single Residential	>500m²	du						0	R	-	R	-	R	-	R	-	R	-
	Single Residential	>250m²	du						0	R	-	R	-	R	-	R	-	R	-
	Single Residential	<250m²	du						1	R	-	R	-	R	-	R	-	R	-
	Second Dwelling	du							0	R	-	R	-	R	-	R	-	R	-
	Less Formal Residential	du							0	R	-	R	-	R	-	R	-	R	-
	Group Residential	du							0	R	-	R	-	R	-	R	-	R	-
	Apartments	du							0	R	-	R	-	R	-	R	-	R	-
	Retirement Village	du							0	R	-	R	-	R	-	R	-	R	-
	Old age home	du							0	R	-	R	-	R	-	R	-	R	-
Accommodation	Student Accommodation/Communes/Hostels	rooms							0	R	-	R	-	R	-	R	-	R	-
	Guest House	rooms							0	R	-	R	-	R	-	R	-	R	-
	Converted Guest House	rooms							0	R	-	R	-	R	-	R	-	R	-
	Hotel Residential	rooms							0	R	-	R	-	R	-	R	-	R	-
Commercial	General Business	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Office	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Retail/Shop	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Restaurant	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Outdoor Function / Picnic Area	persons							0	R	-	R	-	R	-	R	-	R	-
	Conference Facility/Place of assembly	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Hospital/Clinic/Medical Rooms	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	University/College	student							0	R	-	R	-	R	-	R	-	R	-
Industrial	School/Day Care	student							0	R	-	R	-	R	-	R	-	R	-
	Industrial - light	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Industrial - heavy	m² GLA							0	R	-	R	-	R	-	R	-	R	-
	Warehousing/Light Manufacturing	m² GLA							0	R	-	R	-	R	-	R	-	R	-
Non-ferrous	Storage Facilities	unit							0	R	-	R	-	R	-	R	-	R	-
	Open Space/Natural Environment/Utility Site	ha							0	R	-	R	-	R	-	R	-	R	-
Other	Roads and Parking	ha							0.0000	R	-	R	-	R	-	R	-	R	-
	To be calculated	n/a							0.0000	R	-	R	-	R	-	R	-	R	-
		Total Area:	0						0	R	-	R	-	R	-	R	-	R	-

Charges before adjusting for positive only, before Deductions										R	-	R	-	R	-	R	-	R	-
Charges adjusted for positive only, before Deductions										R	-	R	-	R	-	R	-	R	-
Deductions per service (from usage reductions)										R	-	R	-	R	-	R	-	R	-
Discount Deduction (%)										Percentage	0.00%	R	-	R	-	R	-	R	-
Additional Deduction per service - from Service Agreement (rate)										R	-	R	-	R	-	R	-	R	-
Sub Total after Adjustments and Deductions (excluding VAT)										R	-	R	-	R	-	R	-	R	-
VAT										R	-	R	-	R	-	R	-	R	-
Total Development Charges										R	-	R	-	R	-	R	-	R	-